

**Minutes of DDS Board Meeting
May 3, 2006
Conyers Headquarters**

Present

Kelly Gay, Chairman
Trummie Patrick, Vice Chairman
Billy Fortson, Secretary
Doug Chalmers
Linda Evans

Not in Attendance

Patrick McGahan
Ben Porter
David Hanna
Susan Gordy

Also present was Joseph Drolet of the Attorney General's Office.

Chairman Gay called the meeting to order at 9:05 a.m. at which time a quorum was established.

Approval of Minutes from March 8 Board Meeting and Executive Session

After review of the minutes from the March 8, 2006 regular Board meeting, Chairman Gay called for a motion. Trummie Patrick motioned to approve the minutes as submitted; Linda Evans seconded the motion with unanimous approval by the remaining Board members. Also presented for Board approval were the minutes from the Executive Session held after the March 8 Board meeting. Trummie Patrick motioned to approve the minutes as submitted; Billy Fortson seconded with unanimous approval by the remaining Board members. Copies of both sets of minutes are attached as a permanent record to these minutes.

Ms. Gay stated that due to Doug Chalmers not feeling well, the agenda would be changed to start off with all topics that would require Board approval in case he needed to leave.

Initial and Final Rule Changes

Initial Rules Changes - Jennifer Ammons, DDS General Counsel, reviewed the changes to the rules of Chapter 375-5-2, Driver Training, presented for initial Board consideration. The proposed changes conform DDS rules with the changes that will occur when Joshua's Law takes affect in January 2007. Copies of these rule changes are attached as a permanent record to these minutes.

Chairman Gay called for a motion. Trummie Patrick motioned to approve the rule changes for initial adoption. Doug Chalmers seconded the motion with unanimous approval by the remaining Board members.

Final Adoption of Rule Changes – Ms. Ammons reviewed the changes to the ADAP Program and Driver Education Training rules, which were initially approved at the March 8th Board meeting. A public hearing was held, however no one attended and there was no opposition. She asked for the Board’s favorable consideration for final adoption of these rules changes.

Chairman Gay called for a motion. Billy Forston moved to approve the rule changes for final adoption; Trummie Patrick seconded with unanimous approval by the remaining Board members.

Petitions for Waiver of Agency Rules

Ms. Ammons informed the Board she would be presenting five petitions for waiver for their consideration:

Augusta Driving School – Mr. Davis McGee, the school owner, submitted a petition for a waiver from 375-5-2-.11 that governs the operation of driver education schools. Mr. McGee operates the business side of the school from his home office but conducts the actual classes at the county courthouse. Current regulation provides that the facility where the school operates must have publicly available restrooms. However, the regulation was written envisioning the scenario where the office and the classes would be in the same place. The Department feels it is a reasonable request allowing Mr. McGee to continue to operate without having any issues relating to compliance with the regulation since students never go to his home and there have never been any complaints.

Chairman Gay asked for a motion. Trummie Partrick moved to approve the petition for waiver; Billy Forston seconded with unanimous approval by the remaining Board members.

South Cherokee/Jasper Driver Improvement Clinic – Their petition is for an exception to the rule that requires a vehicle used for purposes of driver training instruction can not exceed 7 years of age. The vehicle in question is a 1997 Ford Taurus with 83,919 miles on it. Ms. Ammons stated the reasoning behind the rule is that students need to be taught to drive in a safe vehicle that is mechanically sound, and vehicles over 7 years old would be more likely to experience mechanical failures. It is felt the likelihood of mechanical failure, particularly with a child behind the wheel, out weighs the arguments made by the petitioner in this case and in previous cases. Mr. Patrick questioned if the petitioner was required to purchase a brand new vehicle or could a used car under 7 years old be bought. Ms. Ammons stated it was not necessary to purchase a new vehicle.

Chairman Gay called for a motion. Doug Chalmers motioned to deny the petition for waiver; Linda Evan seconded with unanimous approval by the remaining Board members.

Paul Landers – Ms. Ammons stated that Mr. Paul Landers, who was present at the meeting, has petitioned for a waiver from one of DDS’ current commercial driving regulations, 1-1-.04, which provides that a driver who only has vision in one eye would not be able to obtain a commercial drivers license (CDL). There have been changes in Federal regulations since this regulation, enacted by the Department of Motor Vehicle Safety (DMVS), went into effect that will allow a driver with vision in one eye to petition the Federal Motor Carrier Safety Administration (FMCSA) for a waiver from their regulation. Board approval would enable him

to move forward with his petition to FMCSA. Ms. Ammons stated that the petition was very well written by his attorney; explaining the law and his circumstances very clearly and is legally quite sufficient. Mr. Chalmers requested that Ms. Ammons give the Board an overview of the law. Ms. Ammons stated that the Georgia regulation requires visual acuity in both eyes. The federal regulation has been modified within the last year allowing for a waiver from the Federal regulation to allow a driver who has sufficient vision in one eye to petition for a waiver from FMCSA to allow him to obtain a CDL in his state of residence. She continued by saying that DDS has not modified its regulation to conform to the change in the federal regulation but intends to present that rule change at the next DDS Board meeting. Linda Evans asked if it is known how many states have made that change. Ms. Ammons stated she did not know the exact number, however, the petition lists five states. Mr. Landers asked to be recognized. He stated that he had done extensive research and had found about half of the states have some type of waiver program. Unfortunately, Georgia, Alabama and Tennessee have not yet incorporated the change into their laws so if he doesn't get the waiver he would have to move to a state further away. Ms. Evans asked Mr. Landers what career change requires this action. Mr. Landers replied he has a finance degree from the University of Alabama, however, commercial driving is something he has always wanted to do but never pursued partly because he knew of the vision regulations but when he began to research, he found there is now a waiver program. He is hoping to obtain a waiver for Georgia to enable him to drive intra-state for the required three years. After then, he can apply to get a federal waiver to allow him to drive inter-state. Commissioner Dozier clarified that if the waiver was granted, the license would be restricted to Georgia only. Mr. Chalmers questioned if there was concern that in granting such waivers it may be reducing safety standards for commercial drivers. Ms. Ammons replied that from her perspective, and in watching the evolution of the Federal regulation and reviewing DOT's docket management system which offers comments from industry and safety advocacy groups, she feels the Feds have put a great deal of consideration into this before offering the waiver program. She feels there is no demonstrative risks sufficient to outweigh the good public policy of expanding the field to more drivers, and feels DDS must defer to the extensive research that the Feds have conducted. Mr. Chalmers summarized by asking whether the Federal analysis would conclude that someone in Mr. Landers' position is safe. Ms. Ammons stated that if the waiver is granted for him to get his CDL in Georgia, the next threshold for Mr. Landers will be to demonstrate that he is a safe driver during those three years. Mr. Chalmers asked if there were any driving infractions on Mr. Landers' current record. Ms. Ammons replied there were none. Ms. Evans asked Mr. Landers if he had a job lined up. Mr. Landers replied he plans to work for his brother-in-law who owns a trucking company, but eventually would like to have his own trucking business. Mr. Dozier interjected that studies of vision impaired drivers versus full vision drivers have been done and statistics showed that the impaired drivers were the safer drivers in the group studied. Ms. Gay asked how long the Federal government has been in the process of changing this regulation. Ms. Ammons replied they have researched these driver histories for decades. She concluded by saying the actual DDS rule change will be in the initial rules presented to the board at the June meeting. Mr. Patrick motioned to approve the waiver. Linda Evans seconded the motion with unanimous approval by the remaining Board members.

Roebucks Driving School – The owner, Dennis Roebuck, submitted a petition for a waiver to the rule of the age of a vehicle used for driver instruction. The vehicle in question is a 1998 Chevy Prism with 247,000 miles on it. Ms. Ammons stated in light of the safety issues previously discussed, she recommended the waiver be denied. Linda Evans motioned to deny the petition for waiver. Doug Chalmers seconded with unanimous approval by the remaining Board members.

Donna Marie Stone – Ms. Stone has filed a petition for a waiver from the specified ID requirements. She is trying to obtain a Georgia identification card but has been unable to successfully prove her identity. Statutorily she is required to put her full legal name on the application for her drivers license and must provide documentation to support her full legal name. In Ms. Stone case, she was born Donna Tilton; her mother married Murray Floyd Davis; she always believed Mr. Davis had adopted her, but in fact he had never filed a legal petition to do so. She grew up as Donna Davis; has had several name changes due to marriages and divorces; and is presently married to Mr. Stone. Based on current regulation, DDS can not issue her an ID card because of the inability to make the proper paper connection between Donna Tilton all the way through Donna Stone. She has sufficient records to show her birth name of Tilton; school records showing her under Davis; multiple marriage certificates showing Davis; and several social security cards showing Davis. Ms. Ammons stated there is arguably no way for her to go back to fix what happened 45 years ago; there is not a name change petition that can be filed, nor is there a way she could get a revised birth certificate issued. The Department doesn't question if she is the same person documented. The Attorney General issued an opinion 23 years ago where then, under Georgia law, the continuous use of a name made that your legal name. Based on that opinion, it would be recommended that this petition be approved. Ms. Evans stated this issue really concerns her especially since Ms. Stone has lived all over the country and has a criminal history. Short of the GBI approving it first, she doesn't feel the DDS Board can approve this waiver. She further stated the alternative is for Ms. Stone to obtain a U.S. passport and be thoroughly checked out by the State Department and once issued, the passport could then be used to obtain a Georgia ID card; and it would also give her freedom of mobility which she currently does not have. Ms. Gay questioned how she would be able to obtain a passport. Ms. Evans replied that she had researched the issue and found there is a waiver where you can have a person you have known for two years can sign an affidavit and vouch for your existence. It would require Ms. Stone to personally appear in a passport office to make application. They would complete an extensive background investigation and be able to go into Massachusetts and anywhere she has lived or been incarcerated to confirm her identity. In conclusion, Ms. Evans stated she feels Ms. Stone would be better off by getting herself a U.S. passport, especially next year once the Real ID Act becomes effective.

Chairman Gay called for a motion. Doug Chalmers so motioned; Linda Evans seconded with unanimous approval by the remaining Board members.

Commissioner's Report

Commissioner Dozier reviewed the PowerPoint presentation prepared for the Board. A copy is attached as a permanent record to these minutes.

Mission Statement and Core Values – Mr. Dozier briefly reviewed the mission statement and core values ("We C.A.R.E.") of the Department. He stated that he feels both are vital to the agency and he truly believes it is making a difference which the statistical charts in his presentation will show.

Public Service Announcements (PSA) – The Board listened to two separate recorded public service announcements. One for the metro Atlanta area informing citizens of the two newest customer service centers located in Atlanta on Capitol Avenue, and in the Locust Grove; and the other will be used state-wide informing citizens of five or six of the rapid improvements the

agency has incorporated Commissioner Dozier stated he feels Susan Sports, Public Information Officer did an exceptional job on putting these announcements together. He is hoping the announcements along with other positive changes being made will change the public perception of the DMV stereotype.

Governor's Office of Customer Service (OCS) –DDS was selected to partner with OCS to develop a pilot program to create the Department's FY 2007 Customer Service Plan focusing on the state motto "Faster, Friendlier, Easier," and hopes to be able to present the finished plan to the Board at the next meeting. He believes DDS' plan will focus primarily around the call center. The call center gets a huge volume of calls daily with a 25% abandoned rate of the calls that get through, but there are also a large number of calls that never actually get through. OCS has brought in call center experts who are looking at ways to improve technology allowing more calls to get through. This may mean however, that more people must be hired to answer phones. The average call time is 5 minutes; but they are looking into reducing that time by possibly going to a tiered call center. The first tier would be for quick response; the second tier would be used for calls that need more personalized assistance.

The Department is reorganizing headquarters operation to provide several efficiencies that will also be included in the customer service plan. One of which is the conviction backlog. A year ago, there was a nine month backlog of court submitted citations that hadn't been entered onto motor vehicle records (MVRs). As a result, there were many customer services issues based on this inefficiency. With the help of a DOT grant, temporary employees were hired to enter the backlog of citations, and a validation unit was created. Currently, citations are entered onto the record within one week after receipt of the citation from the court. The Federal regulation states citations should be put on the record within 30 days of the ticket being written. This deadline is being met on electronic submissions from the court; however, DDS receives approximately 10,000 tickets per week from small court systems that do not have the computer technology to submit electronically, so the deadline is not being met on those submissions.

Commissioner Dozier played a segment from the TV program, Georgia Weekly, where Lonice Barrett, Governor's Office of Customer Service, was interviewed regarding the Commission for a New Georgia and the initiatives implemented to make state government more efficient and less costly. In the interview Mr. Barrett referenced the drastic improvements and strides that DDS has made since the Governor appointed Greg Dozier as Commissioner. Mr. Dozier attributes this "good press" to the rapid improvement initiatives that have been put into place within the last year.

Quarterly Performance Review – Commissioner Dozier reviewed statistical charts that demonstrate the effectiveness of the Rapid Improvement Initiates for each center over the last fiscal year:

Road Test Reservations: A year ago, there were three customer service centers (CSCs) with a 15-16 week wait for an appointment for a road test, and at most centers a person could not get an appointment for the week they called. As of today, there are four centers with a five week wait; however, there are approximately twenty-five centers where you can get an appointment that week.

Free License Update: A year ago, approximately 1,000 free licenses were being given away each week. Last month only eleven were given away. Service and revenue have been increased drastically.

CSC Vacancies: September 2005 there were 75 vacant examiner positions; the goal was to get that down to zero. As of November it was down to 16 vacant positions where it has since remained steady. Mr. Dozier stated that a year ago it was felt the only answer to increased customer service was more positions and better facilities. However, the graph shows vacancies have been consistent since November, but performance has increased. He feels these results are from holding the centers accountable and measuring their performance.

Linda Evans asked if temporary employees are being utilized to assist in centers that are short staffed. Commissioner Dozier replied there have been several bad experiences in using temporary employees, so the comfort level needed has not been obtained. Ms. Evans suggested possibly retired examiners or off duty or retired deputy sheriffs would be good temporary employees since their backgrounds have already been cleared. Commissioner Dozier replied that was a good suggestion and the option would be considered.

Customer Service Levels: In July 2005, the average wait time was 22 minutes; there were a total of 244,000 customers served for the month, of which 80% were served within 30 minutes or less. But as of March 2006, the approximate wait time was 8.34 minutes, the total customers served was 275,000 and 94% were served within 30 minutes. Mr. Dozier stated that the Examiners are doing an exceptional job and he feels they have embraced the culture of being measured.

DDS Scorecard: Commissioner Dozier stated that up until now he had been giving the Board graphs on performance levels; however, what hasn't been provided is a report card for the agency. DDS along with the staff from the Office of Planning and Budget are currently in the process of developing an agency scorecard. Once completed, the draft of the scorecard will be presented to the Governor's Office for approval. The five critical measurements encompassed on the scorecard from which the agency will gain are: agency level performance snapshot; base line measure (goal); fiscally and operationally imperative; channel resources in the proper direction (efficient); more ability to reach to change. Once the final version of the scorecard is approved, it will be used to manage each CSC and division of this agency.

2006 Legislative Session Overview

Les Hammond stated that approximately 125 bills that will potentially impact DDS were tracked over the last two years. He gave a brief general overview of the eight bills that were actually passed in this year's legislative session. Of these eight bills, there were two big agency sponsored bills – HB 1252, Driver Training Schools; and HB 1253 which is to clarify certain provisions of Drivers Licenses which are mostly federal regulation. A copy of those actual bills and summaries of each were given to the Board for their review and is attached as a permanent record to these minutes.

Budget Review

Cathy Malone reviewed FY 2006 Supplemental Budget explaining there were several items that DDS did not request; however, \$48,226 for Worker's Comp; and \$100,000 for Motorcycle Safety Education were included in the final approved budget.

Ms. Malone continued by reviewing each line item of the approved FY 2007 Budget which totals \$6,273,098. She reminded the Board that DDS is the pass through agency for the Georgia Driver's Education Commission, so the \$2.7 million allocation put into DDS' budget, is for the Commission expenditures, so it will not actually benefit DDS.

She also reviewed the Department's expenditures through April 2006. The target percentage of funds spent for this time of year is 83%; the actual amount that has been spent is 80.39%. She indicated the equipment and computer charges currently exceed the initial amount budgeted; however no funds have been brought in at this time. Ms. Gay asked if the overages on those expenses would have to be made up else where or would additional funds be allocated. Ms. Malone responded now that the agency is not restricted to staying within the object classes, money is spend out of the budgeted funds for the agency until closer to the end of the year when a budget amendment can be done so funds can be transferred from one object class to another to cover any overages.

New/Old Business

Chairman Gay asked the date of he next Board meeting. Cheri Maloy, Executive Assistant to the Commissioner, responded that Commissioner Dozier has committed to attend a conference out of state, so the meeting will be held on Wednesday, June 7th, instead of the traditional second Wednesday of the month.

Chairman Gay asked if there was any new or old business to discuss. Since there was none, she called for a motion to adjourn. Billy Fortson so motioned; Trummie Patrick seconded with unanimous approval by the remaining board members.

Respectfully submitted,

William F. Fortson, Jr., Secretary